

04 NCAC 24F .0205 is proposed for amendment as follows:

04 NCAC 24F .0205 INTRODUCTION OF EVIDENCE IN HIGHER AUTHORITY HEARINGS

(a) The Board of Review shall allow each party 10 minutes from the time of the scheduled hearing to appear for the hearing.

(b) If the appealing party fails to appear for the hearing and a continuance had not been previously granted, the Board of Review shall issue a Higher Authority Decision dismissing the appeal.

(c) A party desiring to introduce documents or other non-testimonial evidence at a de novo hearing shall provide an authenticated copy plus one copy for the Board of Review, or a hearing officer appointed by the Board Review to include in the official record at of the hearing. A copy shall be provided to each party prior to the hearing. Documents of any document or other evidence provided to the Board of Review shall be provided to the opposing party prior to the hearing.

(d) A party offering 20 or more documents into evidence shall prepare a list of the documents in the order of their presentation. The list shall be provided to the Board of Review and to each party before the hearing to become part of the official hearing record.

(e) If the Board of Review takes official notice of facts, whether under judicial notice or within the Board's specialized knowledge, the official notice and its source shall be stated on the record and noticed to the parties. Each party shall be given an opportunity to dispute the noticed fact by argument and submission of evidence.

History Note: Authority G.S. 96-4; 96-15; 96-15.3;

Eff. July 1, 2015;

Recodified from 04 NCAC 24C .0505 Eff. October 1, 2017;

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